

## MINUTES OF THE REGULAR MEETING OF JULY 9, 2015

The regular meeting of the Sussex County Planning and Zoning Commission was held Thursday evening, July 9, 2015 in the County Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware.

The meeting was called to order at 6:00 p.m. with Chairman Wheatley presiding. The following members of the Commission were present: Mr. Robert Wheatley, Mr. Rodney Smith, Mr. Michael Johnson, Mr. I.G. Burton, III and Mr. Martin Ross with Mr. Vincent Robertson – Assistant County Attorney, Mr. Lawrence Lank – Director and Ms. Janelle Cornwell – Planning and Zoning Manager.

Motion by Mr. Smith, seconded by Mr. Johnson, and carried unanimously to approve the Agenda as circulated. Motion carried 5 – 0.

Motion by Mr. Smith, seconded by Mr. Johnson, and carried unanimously to approve the Minutes of June 25, 2015 as amended. Motion carried 5 – 0.

## SPECIAL BUSINESS

Todd Lawson, County Administrator, gave a presentation on the new Planning and Zoning Website and referenced the new improvements to the Chambers. The topics discussed included the information that will be available on the County Website; the GIS mapping system; and physical improvements to the chambers, for example TV monitors, improved audio and video systems, and new carpet and paint. Mr. Lawson exhibited how the TV monitors can be used for presentations, for example: land use applications and history charts of Board of Adjustment, Planning and Zoning Commission and County Council processes.

## OLD BUSINESS

### **C/U #2017 – Eli and Victoria Zacharia**

**An Ordinance to grant a Conditional Use of land in a MR (Medium Density Residential District) for multi-family dwelling structures to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 22,500 square feet, more or less.** This property is located northwest of John J. Williams Highway (Route 24), 365 feet southwest of Spencer Lane, the entrance into Hart's Landing Subdivision (911 Address: 20336 John J. Williams Highway, Lewes) Tax Map I.D. 334-18.00-7.00.

Request for reconsideration for failure to appear.

Mr. Lank read a letter from Eli Zacharia and an attached memo from First State Orthopedics referencing Mr. Zacharia's health conditions.

The Commission discussed the request.

Mr. Wheatley stated that it appears that the reasoning for Mr. Zacharia's failure to appear should be considered as just cause for his absence.

Motion by Mr. Burton, seconded by Mr. Johnson, and carried unanimously to grant the requested reconsideration. Motion carried 5 – 0.

Mr. Robertson stated that the application will have to be re-advertised and re-scheduled for public hearings and can be scheduled for the first available dates.

#### **2004-52 – Holland Mills Subdivision**

**Walker Road Development, LLC is requesting to revise the approved final record plan to consider the deletion of the sidewalks throughout the development.** The subdivision is zoned AR-1. The subdivision is located on the south side of Walker Road, approximately 1 mile west of Hudson Road. Tax Map I.D.: 235-26.00-8.00, 8.01, and 235-26.00-183.00 through 235-26.00-318.00.

The Commission discussed this application for deletion of the sidewalks throughout the development.

Motion by Mr. Johnson, seconded by Mr. Burton, and carried unanimously to defer action for further consideration by the Commission. Motion carried 5 – 0.

#### **2004-53 – Anthem Subdivision**

**Holland Mills Development, LLC is requesting to revise the approved Final Record Plan to consider the deletion of the sidewalks throughout the development.** The subdivision is zoned AR-1. The subdivision is located on the north side of Walker Road, approximately 1 mile west of Hudson Road. Tax Map I.D.: 235-26.00-7.00, 7.01 & 235-26.00-336.00 through 235-26.00-487.00.

The Commission discussed this application for deletion of the sidewalks throughout the development.

Motion by Mr. Johnson, seconded by Mr. Burton, and carried unanimously to defer action for further consideration by the Commission. Motion carried 5 – 0.

#### **C/U #2019 – JB Builders, LLC**

**An Ordinance to grant a Conditional Use of land in an AR-1 (Agricultural Residential District) for a construction company office; storage of materials; retail sales; and equipment storage and rental to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 34,495.70 square feet, more or less. The**

property is located north of John J. Williams Highway (Route 24) 500 feet east of Gull Point Road (Road 313) (911 Address: 27324 John J. Williams Highway, Millsboro) Tax Map I.D.: 234-28.00-153.00.

The Commission discussed this application, which has been deferred since June 25, 2015.

Mr. Smith stated that he would move that the Commission recommend approval of Conditional Use No. 2019 for J. B. Builders, LLC for a construction company office, storage of materials, retail sales and equipment storage and rental based upon the record made during the public hearing, and for the following reasons:

- 1) The property is the site of a prior business use for golf cart sales and repairs. It has been vacant for some time. The redevelopment and reuse of this site will improve the appearance of this location. It also promotes the re-use of existing business locations rather than having new businesses scattered throughout the County.
- 2) The location for this use, along Route 24, is appropriate for a business such as this. There are also several other small businesses and commercial uses in this area of Route 24, and this use will be consistent with what currently exists in the area.
- 3) The redevelopment of this property will not have an adverse impact on adjacent or neighboring properties, roadways or the community in general.
- 4) The use promotes the health, safety and welfare of Sussex County residents by redeveloping an existent vacant and abandoned business location.
- 5) No parties appeared in opposition to the application.
- 6) This recommendation is subject to the following conditions:
  - A. Although sales are permitted from the premises as requested by the applicant, the applicant has stated that the primary purpose of these sales is for materials and supplies to the applicant's subcontractors. Retail sales to the public shall not be permitted from this location without further approval from the Planning and Zoning Commission.
  - B. As stated by the applicant, all storage of vehicles and equipment associated with the business (but not including employee vehicles shall be located inside. The applicant's low-boy trailer may be stored outside.
  - C. There shall be no outside repairs or maintenance of vehicles or equipment associated with the use shall occur on the site.
  - D. All dumpsters, storage bins, and stock pile locations shall be screened from view of neighboring properties and roadways.
  - E. The site shall be fenced and gated.
  - F. One lighted sign, not to exceed 32 square feet per side, shall be permitted.
  - G. All security lights shall be downward screened so that they do not shine on neighboring properties or adjacent roadways.
  - H. The hours of operation shall be between 8:00 a.m. and 5:00 p.m. Monday through Saturday.
  - I. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion by Mr. Smith, seconded by Mr. Burton, and carried with four (4) votes to forward this application to the Sussex County Council with a recommendation that the application be approved for the reasons and with the conditions stated. Motion carried 4 – 0. Mr. Johnson did not participate in the discussion or the vote since he was not present during the public hearing.

**C/U #2020 – Charles Auman**

**An Ordinance to grant a Conditional Use of land in an AR-1 )Agricultural Residential District) for mini-storage units, and boat and RV storage to be located on a certain parcel of land lying and being in Cedar Creek Hundred, Sussex County, containing 8.93 acres, more or less.** The property is located west of Marshall Street Extended (Road 225) and south of Swain's Private Road 570 feet west of Marshall Street Extended (911 Address: None Available) Tax Map I.D.: 330-11.17-18.00 and 330-15.05-6.00.

The Commission discussed this application which has been deferred since June 25, 2015.

Mr. Burton stated that he would move that the Commission recommend approval of Conditional Use No. 2020 for Charles Auman based upon the record and for the following reasons:

- 1) Although this application was advertised for mini-storage units and boat and RV storage, the primary use was previously approved as Conditional Use No. 1771 in 2009. The purpose of this application is only to relocate the entrance road from the approved Conditional Use from Swain's Private Road to Marshall Street Extended.
- 2) It is appropriate for the location of the entrance road to be via Marshall Street Extended, instead of Swain's Private Road. This will provide direct access to a State maintained road. Swain's Private Road is not State maintained and maintenance issues could become a problem if it is used for the entrance to the mini storage facility.
- 3) The Marshall Street Extended entrance will provide safer vehicular access to the approved Conditional Use.
- 4) Although several parties appeared in opposition to this application, most of the opposition related to the prior Conditional Use that was previously approved and not the relocation of the entrance. And, many of those in opposition expressed concerns about using Swain's Private Road as the entrance.
- 5) This recommendation is subject to the following conditions:
  - A. All of the conditions of Conditional Use No.1771 shall remain in effect unless directly affected by the relocation of the entrance road from Swain's Private Rod to Marshall Street Extended.
  - B. The access to Swain's Private Road shall be completely closed off, with fencing and the buffers required by Conditional Use No. 1771 extending across what was the entrance area Swain's Private Road.
  - C. The Final Site Plan showing the relocated entrance and the closure of the entrance via Swain's Private Road shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion by Mr. Burton, seconded by Mr. Smith, and carried with four (4) votes to forward this application to the Sussex County Council with the recommendation that the application be approved for the reasons and with the conditions stated. Motion carried 4 – 0. Mr. Johnson did not participate in the discussion or the vote since he was not present during the public hearing.

**2015-2 – Tall Grass Estates Lands**

**Lands of Mary Hazzard zoned AR-1 (Agricultural Residential District) and GR (General Residential District) in Indian River Hundred, Sussex County, by dividing 18.366 acres into 16 lots.** The property is located east of Wil King Road (Road 288) 600 feet north of Conleys Chapel Road (Road 280B). Tax Map I.D.: 234-6.00-74.09 & 74.10.

The Commission discussed this application which has been deferred since June 25, 2015.

Motion by Mr. Smith, seconded by Mr. Burton, and carried unanimously to defer action for further consideration. Motion carried 5 – 0.

**PUBLIC HEARINGS**

Mr. Robertson described how the public hearing process functions.

**C/Z #1778 – John Floyd Lingo**

**An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 (Agricultural Residential District) to a CR-1 (Commercial Residential District) for a certain parcel of land lying and being in Broadkill Hundred, Sussex County, containing 0.74 acres, more or less.** The property is located south of Route 9 (Lewes Georgetown Highway) 200 feet east of Route 5 (Harbeson Road) (911 Address: None Available) Tax Map I.D.: 235-30.00-68.00.

The Commission found that the applicant had submitted surveys/site plans with his application on April 20, 2015 and provided an Exhibit Booklet on June 29, 2015. The Exhibit Booklet contains a series of maps and aerials; excerpts from the Comprehensive Land Use Plan; site plans; DelDOT photographs for the new alignment for the intersection of Route 9 and Route 5 at Harbeson; a DelDOT letter, dated April 17, 2015 with attachments; and suggested proposed Findings of Fact.

The Commission found that the Planning and Zoning Department received the referenced letter from DelDOT.

The Commission found that the County Engineering Department Utility Planning Division provided comments in the form of a memorandum on June 30, 2015 referencing that the site is not located in the proposed or County operated and maintained sanitary sewer and/or water district; that conformity to the North Coastal Planning Study will be required; that the proposed change of zone is not in an area where the County has a schedule to provide sewer service at this time; and that a concept plan is not required.

The Commission found that the Sussex Conservation District provided comments in the form of a memorandum on July 8, 2015 referencing that there is one soil type on this site; that the applicant will be required to follow recommended erosion and sediment control practices during construction and to maintain vegetation; that no storm flood hazard areas are affected; that no

off-site drainage improvements are necessary; that no on-site drainage improvements are necessary for a change in zone; and that no tax ditches are affected.

The Commission found that John Floyd Lingo was present with Richard Abbott, Esquire, and Mark Davidson, Project Manager for Pennoni Associates, Inc. and that they stated in their presentations and in response to questions raised by the Commission that the applicant recently received Conditional Use approval for the dwelling on the property to be converted to professional office space; that the site is adjacent to other properties owned by the application that are commercial zoned and use for a small commercial strip center; that DelDOT has an intersection improvement plan proposed to improve the intersection of Route 9 and Route 5; that trucks going to the Allen Harim processing plant have difficulties turning onto Route 5 off of Route 9 to get access to the plant located west of Route 5 further south from Route 9; that the old Post Office building, more recently used for a barber shop needs to be relocated to allow for these DelDOT improvements; that DelDOT has agreed to allow relocation of the building to a location between the existing dwelling and the strip center; that the two parcels will be combined into one parcel; that the Tupperware store that was in the strip center has been moved prematurely into the dwelling in preparation for the DelDOT improvements; that the barber shop will move into one of the units in the strip center; that there should be no adverse impact on adjacent properties; that the existing entrance to the dwelling will be closed and the driveway will be extended over to the parking lot for the strip center; that the strip center is currently improved by the barber shop, a deli, the Post Office, a fuel filling station, and a vacant unit; and that the fuel filling station location will not be impacted by the intersection improvements.

The Commission found that Mr. Abbott read the suggested proposed Findings of Fact offered by the applicant in Tab 6 of the Exhibit Booklet.

The Commission found that there were no parties present in support of or in opposition to this application.

At the conclusion of the public hearings, the Commission discussed this application.

Mr. Johnson stated that he would move that the Commission recommend approval of Change in Zone No. 1778 for John Floyd Lingo for a change in zone from AR-1 Agricultural Residential to CR-1 Commercial Residential based upon the record made during the public hearing and for the following reasons:

- 1) This request is for the expansion of an existing commercially zoned property. The expansion area includes an existing business use.
- 2) The rezoning is at the signalized Route 5 and Route 9 intersection. This is an appropriate location for CR-1 Commercial Residential zoning.
- 3) The rezoning is consistent with other existing commercial zoning and uses in the area.
- 4) The rezoning will not adversely affect neighboring properties or roadways.
- 5) The rezoning will allow for the relocation of structures from the adjacent commercially zoned property onto part of this property in conjunction with DelDOT's re-construction of the Route 5 and Route 9 intersection.
- 6) No parties appeared in opposition to this application.

Motion by Mr. Johnson, seconded by Mr. Burton, and carried unanimously to forward this application to the Sussex County Council with the recommendation that this application be approved for the reasons stated. Motion carried 5 – 0.

**C/Z #1779 – Thomas K. Munce and Judy L. Munce**

**An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 (Agricultural Residential District) to a CR-1 (Commercial Residential District) for a certain parcel of land lying and being in Cedar Creek Hundred, Sussex County, containing 3.033 acres, more or less.** The property is located east of U.S. Route 113 (DuPont Boulevard) 0.54 mile north of Route 16 (Beach Highway) (911 Address: 12327 N. DuPont Boulevard, Ellendale) Tax Map I.D. 230-26.00-35.00.

Mr. Lank advised the Commission that this site was previously approved for a Conditional Use (C/U #1979) on March 25, 2014 for a retail package store and tavern, and that the use has been established on the site.

The Commission found that DelDOT provided comments in the form of a letter on September 10, 2014 referencing that the applicant was applying for a rezoning; that the Department recommended that this rezoning application be considered without a Traffic Impact Study and that the need for a Traffic Impact Study be evaluated when a subdivision or land development plan is proposed; and that more recently, after approval of the Conditional Use for the retail package store and tavern, DelDOT issued an entrance approval for the use.

The Commission found that the County Engineering Department Utility Planning Division provided comments in the form of a memorandum on June 30, 2015 referencing that the site is located in the Ellendale Primary Planning Area; that conformity to the North Coastal Planning Study will be required; that the proposed change of zone is not in an area where the County has a schedule to provide sewer service at this time; and that a concept plan is not required.

The Commission found that the Sussex Conservation District provided comments in the form of a memorandum on July 8, 2015 referencing that there are three soil types on this site; that the applicant will be required to follow recommended erosion and sediment control practices during construction and to maintain vegetation; that no storm flood hazard areas are affected; that no off-site drainage improvements are necessary; that no on-site drainage improvements are necessary for a change in zone; and that no tax ditches are affected.

The Commission found that Thomas Munce and Judy Munce were present and that Mr. Munce stated that they have leased the building for the tavern and package store; that the tenants would like to provide on-premise food service; that the site has been improved with a parking lot in compliance with the zoning regulations and that 45 parking spaces have been provided; that the site plan has been approved for the tavern/package store; that they are requesting to establish conforming zoning so that they do not have to apply for additional conditional uses whenever they are making changes in the use of the property; that they have recently installed a new well, a new septic system, and the parking lot; that they would like for the tenants to be able to prepare burgers, french-fries, and other lounge/restaurant foods for their customers; and that they have room in the building to add a grille and the required venting.

The Commission found that Robin Johnson, one of the tenants, stated that she has an option to purchase the property; that they have made many improvements to the building and the site; and questioned the difference between a conditional use and zoning.

Mr. Wheatley responded by advising Ms. Johnson of the difference.

Mr. Robertson advised those present that ABC rules relate to taverns and package stores individually, and that a tavern does not normally provide prepared foods.

The Commission found that there were no parties present in support of or in opposition to this application.

At the conclusion of the public hearings, the Commission discussed this application.

Motion by Mr. Burton, seconded by Mr. Johnson, and carried unanimously to defer action for further consideration. Motion carried 5 – 0.

## **OTHER BUSINESS**

### **Seaford Agrisoil on Rt. 13A and Enviro Way Final Site Plan**

Ms. Cornwell advised the Commission that this is a Final Site Plan for the recycling of poultry manure and the construction two (2) buildings, a 1,250 SF office building and a 15,000 SF building with site improvements to be located along Environs Way. The property is zoned AR-1 (Agricultural Residential District). The site plan is part of Conditional Use (CU 1962). There are two other Conditional Uses (CU 1691 and CU1314) associated with this site. The proposed plan is in compliance with the Conditional Uses. Parcel ID: 132-11.00-41.00. Staff is in receipt of all agency approvals.

Motion by Mr. Ross, seconded by Mr. Ross, and carried unanimously to approve the Final Site Plan. Motion carried 5 – 0.

### **Mountaire – Corporate Headquarters Facility on Rt. 24 Preliminary Site Plan**

Ms. Cornwell advised the Commission that this is a Preliminary Site Plan for the construction of a 45,248 SF corporate headquarters building, a future process addition and site improvements to be located along John J. Williams Hwy. (Rt. 24) and Maryland Camp Rd. The proposed corporate headquarters and future process addition will be a part of the existing complex located on the property. There is parking proposed to be located within the front yard setback requiring Planning Commission approval. The parking would be in keeping with the other parking located elsewhere on the property. The property is zoned HI-1 (Heavy Industrial District). The parcel id is 234-32.00-06.00. Staff is in receipt of DelDOT approval and is awaiting other agency approvals.



Motion by Mr. Johnson, seconded by Mr. Burton, and carried unanimously to approve the Preliminary Site Plan with Final Site Plan subject to staff upon receipt of all agency approvals. Motion carried 5 – 0.

**Sawgrass North at White Oak Creek  
Request for Record Plat Revision**

Ms. Cornwell advised the Commission that this is a proposed revision to the subdivision plat of Sawgrass North to allow for the reduction in the size of the drainage easement. The original subdivision was recorded with a note requiring a 20' wide drainage easement along the centerline of all interior lot lines. This created a 10' wide drainage easement along each side parcel line. The applicant is requesting to reduce the 20' wide drainage easement to a 10' wide drainage easement that would create a 5' easement along the side parcel lines. The proposed change would be in compliance with the County Code.

Motion by Mr. Johnson, seconded by Mr. Burton, and carried unanimously to approve the requested change in the width of the easement. Motion carried 5 – 0.

**Lands of Lofland on Lofland Ln.  
Minor Subdivision off private road**

Ms. Cornwell advised the Commission that this is a Minor Subdivision of an existing private and an increase to the width of the private road. The existing private road is 30' wide. The proposed subdivision off the existing private road is to create one (1) lot and increase the width of the private road along the proposed parcel of land to 50'. It was suggested to the applicant that the 30' private road be extended to 50' going west along Lofland Ln. from the proposed subdivision. The property is zoned: AR-1 (Agricultural Residential District). The tax parcel # is 330-11.17-13.00. Staff is awaiting DelDOT approval. The Planning Commission deferred action during their meeting of June 25, 2015.

Motion by Mr. Burton, seconded by Mr. Johnson, and carried unanimously to approve the minor subdivision off the easement subject to agency approvals. Motion carried 5 – 0.

**Lands of Donald and Lorna Hearn on Simpler Branch Rd.  
Lot Line Adjustment & Minor Subdivision with 50' easement**

Ms. Cornwell advised the Commission that this is a minor subdivision with the creation of a 50' easement. The proposed subdivision would create two (2) new parcels with the residual. The proposed easement would be located over an existing entrance and road. Any further subdivisions shall proceed as a Major Subdivision. The property is located on Simpler Branch Rd. The property is zoned AR-1 (Agricultural Residential District). The tax parcel is 234-9.00-12.05. Staff is awaiting approval from DelDOT.

Motion by Mr. Johnson, seconded by Mr. Burton and carried unanimously to approve the lot line adjustment and minor subdivision for two new lot with 50' easement with the any future subdivision go through the Major Subdivision process. Motion carried 5 – 0.

**Lands of Mark and Amanda Johnson on Donovan Rd.  
Minor Subdivision with 50' easement**

Ms. Cornwell advised the Commission that this is a minor subdivision with the creation of a 50' easement. The proposed subdivision would create two (2) new lots with the residual. The proposed easement would be located over the existing driveway along the west property line. Any further subdivisions shall proceed as a Major Subdivision. The property is located on Donovan Rd. The property is zoned AR-1 (Agricultural Residential District). The tax parcel is 235-19.00-29.03. Staff is awaiting approval from DelDOT.

Motion by Mr. Burton, seconded by Mr. Johnson, and carried unanimously to approve the minor subdivision with 50' easement with any future subdivision go through the Major Subdivision process. Motion carried 5 – 0.

**Lands of Rolland and Paula Marvel on Rickards Rd.  
Minor subdivision with 50' easement**

Ms. Cornwell advised the Commission that this is a minor subdivision with the creation of a 50' easement. The proposed subdivision would create one new parcel with the residual. The proposed easement would utilize the existing stone driveway. There are two (2) sheds that are located within the proposed easement area that would need to be relocated on the property to create an unobstructed easement. The property is located on Rickards Rd. The property is zoned AR-1 (Agricultural Residential District). The tax parcel is 134-18.00-23.00 Staff is awaiting approval from DelDOT.

Motion by Mr. Smith, seconded by Mr. Ross, and carried unanimously to approve the minor subdivision with the 50' easement. Motion carried 5 – 0.

**Lands of Warren and Stoeckel near Cynthia Marie Dr.  
Minor subdivision off a 50' easement**

Ms. Cornwell advised the Commission that this is a minor subdivision off an existing 50' easement. The proposed subdivision would create one new parcel (0.9476 ac. +/-) with the residual (11.9195 ac. +/-). The property would utilized the existing 50' easement. The property is located near Cynthia Marie Dr. The Planning Office is in receipt of a letter from the adjacent property owner granting the Warren's and Stoeckel's permission to cross his property for ingress and egress. The property is zoned AR-1 (Agricultural Residential District). The tax parcel is 133-16.00-18.00.

Motion by Mr. Smith, seconded by Mr. Johnson, and carried unanimously to approve the minor subdivision off a 50' easement. Motion carried 5 – 0.

**H&H Brand Farms, Inc. District  
Agricultural Preservation District**

Ms. Cornwell advised the Commission that this is an application for the creation of a new agricultural preservation district. The property is zoned AR-1 Agricultural Residential District). The property is 226 ac. +/- The property is located on the both sides of Beagle Club Rd. southwest of Woodland Ferry Rd. The tax parcel is 232-11.00-1.00.

Motion by Mr. Ross, seconded by Mr. Smith, and carried unanimously to recommend approval of the agricultural preservation district. Motion carried 5 – 0.

## **ADDITIONAL BUSINESS**

### **Reorganization**

Mr. Wheatley appointed Mr. Lank as Acting Chairman for the purpose of holding an Election of Officers.

Mr. Lank opened nominations for Chairman.

Motion by Mr. Smith, seconded by Mr. Burton, to nominate Mr. Wheatley as Chairman.

Motion by Mr. Johnson, seconded by Mr. Smith, that the nominations for Chairman be closed.

Motion was adopted to nominate Mr. Wheatley as Chairman with 5 years.

Vote for Mr. Wheatley, as Chairman, by roll call:

Mr. Burton – yea, Mr. Johnson – yea, Mr. Ross – yea, Mr. Smith – yea, Mr. Wheatley – yea.

Mr. Lank opened nominations for Vice-Chairman.

Motion by Mr. Wheatley, seconded by Mr. Ross, to nominate Mr. Smith as Vice-Chairman.

Motion by Mr. Johnson, seconded by Mr. Wheatley, that the nominations for Vice-Chairman be closed.

Motion was adopted to nominate Mr. Smith as Vice-Chairman with 5 years.

Vote for Mr. Smith, as Vice-Chairman, by roll call:

Mr. Burton – yea, Mr. Johnson – yea, Mr. Ross – yea, Mr. Smith – yea, Mr. Wheatley – yea.

The meeting was turned over to Mr. Wheatley, the re-elected Chairman with congratulations.

Mr. Wheatley appointed Mr. Lank as Secretary for the Commission, and authorized Mr. Lank and Ms. Cornwell to sign record plots for recordation on behalf of the Commission.

Meeting adjourned at 7:50 p.m.